IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

A.O. No. 178 of 2002

K.R. Bhatia & others ……. Appellants

Versus

Dhani Ram Tiwari & another …… Respondents

Mr. B.P. Nautiyal, learned counsel for the appellants.
Mr. J.P. Hoshi, learned counsel or respondent No. 1.

Hon. P.C. Verma, A.C.J.
Hon. P.C. Pant, J.

This appeal has been preferred by the appellants against the order of Civil Judge (Sr. Division) / FTC – VIth, Dehradun dated 20.07.2002 in Original Suit No. 441 of 2002, whereby the learned Court below has allowed the interim injunction application and confirmed the interim order dated 13.6.2002 directing the appellant and respondent No. 2 not to interfere in the land in question purchased by respondent No. 1.

We have heard learned counsel for the parties and gone through the records.

Respondent No. 1 filed an original suit No. 441 of 2002 against the appellant and respondent No. 2. It the said suit, an interim order dated 13.6.2002 was passed directing the appellant and respondent No. 2 not to interfere in the possession of the land in question belonging to respondent No. 1. Thereafter, on 20.07.2002 the interim injunction application of the respondent No. 1 was allowed confirming the order dated 13.6.2002. Against this order dated 20.07.2002, the present appeal has been filed.

Considering the facts and circumstances of the case, both the parties are directed to maintain status quo and the trial Court is

directed to decide the suit No. 441 of 2002 within four months from today.

Both the learned counsel for the parties agreed that the appeal may be disposed of in the aforesaid terms.

Therefore, the appeal is disposed of. No order as to costs.

(P.C. Pant, J.) **(P.C. Verma, A.C.J.)**

Dt. 20.7. 2004.

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